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Present: Council Members - Davenport (arrived 7:32 p.m.), Mann, Sieglock, Snider, and Pennino (Mayor)

Absent: Council Members - None

Also Present: City Manager Peterson, Assistant City Manager Glenn, Community Development Director Schroeder, Public Works Director Ronsko, City Attorney McNatt, Deputy City Clerk Perrin and City Clerk Reimche

The invocation was given by Assistant City Manager Jerry Glenn.

The Pledge of Allegiance was led by Mayor Pennino.

There were no presentations at this meeting.

Pursuant to State statute the City Council, on motion of Council Member Snider, Sieglock second, unanimously determined that the need arose pursuant to the preparation of the agenda for an urgency item to be added to the agenda.

CC-200(a) On motion of Council Member Sieglock, Mann second, the City Council unanimously added "Closed Session - Labor Relations" to the agenda under the Closed Session segment of the agenda.

COMPLAINT REGARDING HALE PARK CHANGE ORDER

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Continued January 6, 1993

CONSENT CALENDAR

In accordance with report and recommendation of the City Manager, Council, on motion of Council Member Snider, Mann second, approved the following items hereinafter set forth.

Further the City Council removed the following items from the Consent Calendar:

- a) Agenda item #F-1 entitled, "Claims - \$4,501,554.44" was discussed and acted upon under another segment of the agenda; (Removed by Council Member Davenport);
- b) Agenda item #F-5 entitled, "Supplemental 1992/93 Transportation Development Act (TDA) Claim" was discussed and acted upon under the Regular Calendar; (Removed by Council Member Sieglock);
- c) Agenda item #F-6 entitled, "Purchase of oil filtration system for the Electric Utility Department" was discussed and acted upon under the Regular Calendar; (Removed by Council Member Davenport);
- d) Agenda item #F-7 entitled, "Purchase of Padmount Transformers" was discussed and acted upon under the Regular Calendar; (Removed by Council Member Davenport);
- e) Agenda item #F-8 entitled, "Purchase of Polemount Transformers" was discussed and acted upon under the Regular Calendar; (Removed by Council Member Davenport);
- f) Agenda item #F-11 entitled, "Approve sale of surplus transformer-regulator" was discussed and acted upon under the Regular Calendar; (Removed by Council Member Davenport);
- g) Agenda item #F-13 entitled, "E-Basin agreement between City of Lodi and Robert Batch (located in the area of Evergreen Drive south of Westgate Park)" was discussed and acted upon under the Regular Calendar; (Removed by Council Member Davenport);
- h) Agenda item #F-15 entitled, "Agreement between City of Lodi and Mr. Kenneth Choo for operation of Golf Driving Range" was discussed and acted upon under the Regular Calendar. (Removed by Council Member Davenport);
- i) and
Agenda item #F-16 entitled, "Contract Change Order - Hale Park Improvements, 208 East Locust Street" was discussed and acted upon under the Regular Calendar. (Removed by Council Member Davenport).

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AGENDA ITEM REMOVED
FROM THE CONSENT CALENDAR

Agenda item #F-1 entitled, "Claims - \$4,501,554.44" was removed from the Consent Calendar and discussed at another segment of the agenda.

MINUTES The Minutes of December 3, 1992 (Adjourned Regular Meeting) were approved with the correction of "1st" to "4th" in the last sentence of page 4.

AMENDED SALARY RANGES FOR EMPLOYEES
IN THE POLICE DISPATCHERS' UNIT,
CONFIDENTIAL UNIT, AND THE ELECTRIC
UTILITY UNIT APPROVED

RESOLUTION NOS. 93-01, 93-11 AND 93-12

CC-34 The City Council adopted Resolution No. 93-01 amending the
CC-300 salary ranges for the Police Dispatchers' Unit, Resolution
 No. 93-11 for the Confidential Unit and Resolution No.
 93-12 for the Electric Utility Unit all as described below.

The City Council authorized the salary schedule for the Police Dispatchers' Unit to be modified effective the pay period beginning January 4, 1993 as follows:

| | A | B | C | D | E |
|----------------------------------|------------|------------|------------|------------|------------|
| <u>Community Service Officer</u> | \$1,832.54 | \$1,924.13 | \$2,020.38 | \$2,121.40 | \$2,227.48 |
| <u>Police Dispatcher</u> | 2,145.42 | 2,252.70 | 2,365.34 | 2,483.61 | 2,607.80 |

The City of Lodi and the Lodi Police Dispatchers' Association signed a Memorandum of Understanding (MOU) in December 1991, covering the period from July 8, 1991 through June 1994. In that agreement the City agreed to increase salaries of all represented classes by 2.5% effective the pay period following January 1, 1993.

The City Council authorized the salary schedule for the Confidential Unit Employees to be modified effective the pay period beginning January 4, 1993.

At the Closed Session of the City Council held January 5, 1993, the Council authorized a 4% salary increase for the 4 classes in the Confidential series as reflected in the resolution.

The City Council authorized the salary schedule for the Electric Utility Unit to be modified effective the pay period beginning January 4, 1993.

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The City of Lodi and IBEW, Local 1245 signed a Memorandum of Understanding (MOU) covering the period from January 1991 through December 1993. That agreement called for a 4.25% increase effective the pay period beginning January 4, 1993.

APPROVED CLASS SPECIFICATIONS FOR CITY CLERK

RESOLUTION NO. 93-02

CC-34 The City Council adopted Resolution No. 93-02 approving the
CC-300 class specifications for the newly appointed City Clerk as
 shown on the resolution on file in the City Clerk's office.

ITEMS REMOVED FROM THE CONSENT CALENDAR

Agenda item #F-5 entitled, "Supplemental 1992/93 Transportation Development Act (TDA) claim" was removed from the Consent Calendar and discussed and acted upon under the Regular Calendar.

Agenda item #F-6 entitled, "Purchase of oil filtration system for the Electric Utility Department" was removed from the Consent Calendar and discussed and acted upon under the Regular Calendar.

Agenda item #F-7 entitled, "Purchase of Polemount Transformers" was removed from the Consent Calendar and discussed and acted upon under the Regular Calendar.

Agenda item #F-8 entitled, "Purchase of Polemount Transformers" was removed from the Consent Calendar and discussed and acted upon under the Regular Calendar.

PURCHASE OF COMPUTER EQUIPMENT FOR THE POLICE DEPARTMENT APPROVED

RESOLUTION NO. 93-07

CC-12(d) The City Council adopted Resolution No. 93-07 awarding the
CC-300 bid for the purchase of computer equipment to Computerland
 of Stockton, the low bidder in five of seven bid
 categories, and to OnLine Connecting Point of Stockton, the
 low bidder in the remaining two categories. Total cost of
 purchase of \$14,425.60.

The City Council was reminded that on July 15, 1992, it authorized the allocation of funds from the Asset Seizure Account to purchase computer equipment, as well as firearms, for the Police Department. On November 18, 1992, the City Council authorized advertisement for bids for three IBM personal computers, six IBM printers, four IBM emulation kits (allowing the PCs to attach to and

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communicate with the Department's IBM AS/400 computer), and an auxiliary diskette drive.

Bids were opened on December 16, 1992, with results shown below.

POLICE DEPARTMENT COMPUTER EQUIPMENT

SUMMARY OF BIDS RECEIVED

BIDS OPENED 12/16/92

(ALL PRICES SHOWN ARE TOTALS FOR EACH ITEM, SALES TAX INCLUDED)

| BIDDERS (Complete names listed below): EQUIPMENT DESCRIPTION: | CMPTRLND | ONLINE | CUDA'S | IBM |
|--|-------------------|-----------------|------------|------------|
| ----- | ----- | ----- | ----- | ----- |
| 3 IBM #8556-045 PCs | <u>\$3,061.02</u> | \$3,248.66 | \$3,604.24 | \$4,347.71 |
| 3 DOS V5.0 INSTALLED | <u>328.58</u> | 339.41 | 387.90 | 373.35 |
| 3 IBM #8518-001 MONITOR | <u>1,383.51</u> | 1,470.79 | 1,389.98 | 1,556.45 |
| 5 IBM #4029-010 LASER 5E | <u>4,836.52</u> | 5,064.25 | 5,118.13 | 5,275.98 |
| 1 IBM #4029-020 LASER 6 | <u>1,491.88</u> | 1,567.76 | 1,513.89 | 1,544.70 |
| 4 IBM #6287 EMULATION | 1,849.29* | <u>2,801.50</u> | 3,167.85 | 3,062.26 |
| 1 IBM #4869 AUX. DRIVE W/ #1007 ADAPTER | 282.47** | <u>522.59</u> | 592.63 | 541.42 |

FOOTNOTES:

- * COMPUTERLAND BID IBM #6279, AN EMULATION ADAPTER WITHOUT REQUIRED SOFTWARE.
- ** COMPUTERLAND'S BID INCLUDED THE AUXILIARY DRIVE ONLY, WITHOUT THE REQUIRED ADAPTER.

BIDDERS:

COMPUTERLAND OF STOCKTON
ONLINE CONNECTING POINT, STOCKTON
CUDA'S BUSINESS SYSTEMS, SANTA ROSA
IBM CORPORATION, MODESTO/STOCKTON

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Although Computerland was apparent low bidder on the final two items (the emulation kit and the auxiliary drive), the units they offered failed to meet the City's specifications.

This equipment is planned for use in the Police Department's Detective Division to provide greater access to local and state files by detectives and by members of the Department's narcotics and gang investigation units.

PURCHASE OF PADMOUNT SWITCHGEAR APPROVED

RESOLUTION NO. 93-08

CC-12(d) The City Council adopted Resolution No. 93-08 awarding the
CC-300 purchase of four padmount switchgear to the low bidder,
Ingalls Power Products, Emeryville, California in the
amount of \$35,628.62.

On November 18, 1992, the City Council approved specifications and authorized advertisement for bids. Bids were opened on December 22, 1992 with the following results:

| | |
|------------------------|-------------|
| Ingalls Power Products | \$35,628.62 |
| A.B. Chance Company | 37,755.60 |
| S&C Electric Company | 38,221.08 |
| Power Com, Inc. | 38,229.79 |

The switchgear will be used on the electric distribution system in the following subdivisions: Century Meadows #1, Century Meadows #3 and Towne Ranch as well as to provide inventory for emergency backup.

AGENDA ITEM REMOVED FROM THE CONSENT CALENDAR

Agenda item #F-11 entitled, "Approve sale of surplus transformer-regulator" was removed from the Consent Calendar and discussed and acted upon under the Regular Calendar.

CONTRACT AWARD FOR CONSTRUCTION OF BERMS AND TRANSFORMER PAD APPROVED

RESOLUTION NO. 93-10

CC-12(c) The City Council adopted Resolution No. 93-10 awarding the
CC-300 contract for construction of oil containment berms and
transformer pad to the low bidder, Case Construction Co.,
Inc., Lodi, California in the amount of \$45,153.00.

On December 3, 1992, the City Council approved specifications and authorized advertisement for bids. Bids were opened on December 22, 1992 with the following results:

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| | |
|-----------------------------|-------------|
| Case Construction Co., Inc. | \$45,153.00 |
| H. Max Lee, Inc. | 55,300.00 |
| Neth Construction, Inc. | 58,670.00 |
| Diede Construction, Inc. | 64,882.00 |

The oil containment structures will be installed at McLane Substation around oil-filled electrical equipment to confine an oil spill or leak. Recent Environmental Protection Agency regulations require that equipment storing oil in volumes, as in this case, be equipped with a confinement system that will prevent an oil spill or leak to extend beyond the immediate area of the equipment and not migrate into the soil, the water table or the site drainage system.

The transformer pad will be constructed for the recently purchased McLane Substation No. 1 bank transformer.

AGENDA ITEM REMOVED FROM THE
CONSENT CALENDAR

Agenda item #F-13 entitled, "E-Basin agreement between City of Lodi and Robert Batch (located in the area of Evergreen Drive south of Westgate Park)" was removed from the Consent Calendar and discussed and acted upon under the Regular Calendar.

AGREEMENT BETWEEN CITY OF LODI AND
LODI GRAPE FESTIVAL AND NATIONAL WINE SHOW,
INC. FOR LEASE OF GOLF DRIVING RANGE
PROPERTY APPROVED

CC-7(p)
CC-90

The City Council authorized the City Manager and the Parks and Recreation Director to execute an agreement between the City of Lodi and the Lodi Grape Festival and National Wine Show, Inc. to lease certain property in the custody of the Lodi Grape Festival and National Wine Show, Inc. for the purpose of operating a golf driving range.

For decades the City of Lodi has leased that property located in the southeast corner of the Lodi Grape Festival grounds for use as a golf driving range. Specifically, the property is located on the northwest corner of the intersection of North Cherokee Lane and East Lockeford Street. In addition to the execution by the City of Lodi and the Lodi Grape Festival and National Wine Show, the agreement is also approved by the Board of Supervisors.

This is a routine three-year extension of the existing agreement. The agreement provides that the City will pay as rent, 50% of the proceeds it receives from its share of the golf ball rental revenues.

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AGENDA ITEMS REMOVED FROM THE
CONSENT CALENDAR

Agenda item #F-15 entitled, "Agreement between City of Lodi and Mr. Kenneth Choo for operation of Golf Driving Range" was removed from the Consent Calendar and discussed and acted upon under the Regular Calendar.

Agenda item #F-16 entitled, "Contract Change Order - Hale Park Improvements, 208 East Locust Street" was removed from the Consent Calendar and acted upon under the Regular Calendar.

FINAL MAP AND IMPROVEMENT AGREEMENT FOR
CENTURY MEADOWS THREE, UNIT NO. 1 APPROVED

CC-90

The City Council took the following actions:

- 1) Approved the final map for Century Meadows Three Unit No. 1, Tract No. 2572, and directed the City Manager and City Clerk to execute the Improvement Agreement and map on behalf of the City; and
- 2) In accordance with the precedent set by Council on the Bangs Ranch development (10/21/92), accepted maintenance and ownership of the right-of-way fences along Century Boulevard.

Pacific Valley Housing Corporation, the developer of this subdivision, has furnished the City with the improvement plans, necessary agreements, guarantees, insurance certificates, and fees for the proposed subdivision.

The subdivision is located south of Century Boulevard at Mills Avenue as and contains a total of 25 single-family residential lots.

Fence

The developer has agreed to construct a masonry and wood fence as recommended by the Planning Commission and pay the City the difference between the cost of this fence and a solid masonry fence (\$7/LF) if the City will assume ownership and maintenance responsibilities for the fence. As mentioned above, this arrangement was previously approved by Council for the right-of-way fences for the Bangs Ranch development.

CC-90

The contract completion date was October 20, 1992, and the actual completion date was October 20, 1992. The final contract price was \$94,413.45. The difference between the contract amount and the final contract price is mainly due to extending the limits of the project south of Vine Street and installing a new set of traffic loops at the southeast corner of Lodi Avenue and Church Street.

[illegible]

Council Member Davenport expressed concerns over the process of the approval of claims after payment has been made; therefore, on motion of Council Member Davenport, Pennino second, the City Council directed the City Manager to provide it with the proper code section(s) relative to the approval of the claims by the following vote:

Absent: Council Members - None

Absent: Council Members - None

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ITEMS REMOVED FROM THE CONSENT CALENDAR
MOVED TO THE END OF THE AGENDA

On motion of Council Member Mann, Sieglock second, the City Council by the following vote moved the agenda items removed from the Consent Calendar, with exception of item #F-16, to the end of the Regular Calendar discussion:

Ayes: Council Members - Mann, Sieglock, Snider and
Pennino (Mayor)

Noes: Council Members - Davenport

Absent: Council Members - None

CONTRACT CHANGE ORDER - HALE PARK IMPROVEMENTS,
208 EAST LOCUST STREET APPROVED

CC-90

Public Works Director Ronsko presented the following report to the City Council.

This information was given to the City Council in accordance with the Contract Change Order policy approved by Resolution 85-72. One of the requirements of this policy is that staff informs the City Council of all change orders where the total change orders exceed \$25,000. In addition, the Council asked that staff provide an update as to the status of the project and the problem with the playground surface.

Change Order

The contract change order, approved by the City Manager, was in the amount of \$29,256, which is 6.4% of the contract. The work includes additional fill needed because the sidewalk grades were raised to avoid cutting into the root systems of the trees. Revisions to the irrigation system were made to irrigate the area west of the project. This portion of the park was planned for a future parking lot. However, this improvement is probably many years in the future. The project, as designed, would have left this area without a means of watering, even by hand. The change order extended the irrigation system and turf seeding into this area. A deep-root watering system was also installed to irrigate the existing sycamore trees in the park.

Status

BRCO Constructors estimates that the work in Hale Park can be completed in less than two months. The remainder of the project involves placing the surfacing material in the playground and par course areas and installing the landscaping and turfing in the rest of the park. The two-month time frame is reasonable unless extreme cold

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temperatures or heavy rains prohibit seeding. The contract includes a 90-day turf and irrigation system maintenance period which will run beyond the contract working days. Including the latest change order, the contract working days allowed ended in early December. Although there will be additional non-working day adjustments allowed for weather, it appears there will be liquidated damages charged on this contract. The damages specified in the contract are \$230 per day. However, resolution of the following item may involve granting additional working days due to the time lost.

Playground Surface

The plans call for the playground surface material to be "Fibar", installed per the manufacturers recommendations. Fibar is the trade name of a patented wood chip and fabric system which includes an extended warranty and \$10,000,000 product liability coverage. The contractor feels the contract is not explicit in its requirements and that if the City insists on Fibar, he will file a claim for an additional \$11,000. He is in the process of submitting an alternative. As of December 29, 1992, the matter has not been resolved. Assuming the issue can be resolved in early January, the work should be completed by the end of March 1993. At that point, the walk and play areas will be available for use.

Speaking on the matter was Virginia Lahr, 311 East Elm Street, Lodi, requesting that the contractor not be granted the additional days to complete this project.

Following discussion, the City Council, on motion of Council Member Snider, Mann second, unanimously approved the Contract Change Order - Hale Park Improvements, 208 East Locust Street.

COMMENTS BY CITY
COUNCIL MEMBERS

The following comments were received under the "Comments by City Council Members" segment of the agenda:

INTRODUCTION OF STUDENT ATTENDING
HUMPHREYS COLLEGE

Mayor Pennino introduced Robin Almarez, a student studying court reporting at Humphreys Business College, who was transcribing the City Council meeting as a part of her training.

REQUEST FOR REPORT FROM THE GANG
TASK FORCE

CC-2(q) Council Member Davenport again suggested that a report be given on the Gang Task Force at each City Council meeting

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as a means to inform the community of this on-going situation.

FAREWELL EXPRESSED TO RETIRING CITY CLERK

Council Member Snider wished retiring City Clerk Alice M. Reimche all the best for her future and expressed his appreciation for the professionalism and courtesy she has shown the people of this community.

REPORT ON THE SALES TAX REVENUE STUDY

CC-21(a) Mayor Pennino shared with the public that Hinderliter, de Llamas & Associates, who prepared the sales tax revenue study for the City of Lodi, should be credited for the City's realizing an additional \$127,000 in revenue.

COMPLAINTS RECEIVED REGARDING NEW REFUSE SYSTEM

CC-16 Council Member Davenport stated he is still receiving
CC-24(b) telephone calls from citizens regarding the refuse system and requested a report on some of the inequities of the system and possible changes.

COMMENTS BY THE PUBLIC ON NON AGENDA ITEMS

The following comments were received under the "Comments by the public on non-agenda items" segment of the agenda:

COMPLAINT REGARDING REFUSE RATES

CC-16 Ken Lewis, 1214 South Sunset Drive, Lodi, complained that
CC-24(b) his garbage bill under the new rates had not been pro-rated and he has still not received his new refuse cart(s). The matter was referred to the City Manager

A citizen residing on Flora Street in Lodi, also speaking regarding the trash situation, stated he believes the program is beneficial; however, he suggested the system be changed to add bigger trash receptacles.

PUBLIC HEARINGS Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Pennino called for the Public Hearing to consider unmet transit needs with the City of Lodi.

PUBLIC HEARING REGARDING UNMET TRANSIT NEEDS WITHIN THE CITY OF LODI

CC-50(b) Assistant City Manager Jerry Glenn presented the following staff report.

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In order to utilize Transportation Development Act (TDA) funds for street and road improvements and to properly allocate the funds spent for transit purposes, it is necessary to reasonably meet any unmet transit needs.

The San Joaquin Council of Governments (COG) requires all agencies to annually hold a public hearing to solicit input from the citizens on unmet transit needs. So that we can assure the widest input possible, the City scheduled two hearings - one during the morning hours at Hutchins Street Square, 125 So. Hutchins Street, and one at a regularly scheduled City Council meeting.

The first hearing was conducted on Wednesday morning, December 2, 1992 at the Fine Arts Building at Hutchins Street Square. Approximately 20 persons were in attendance. The minutes of that meeting are hereby entered as an official part of this meeting as shown below.

UNMET TRANSIT NEEDS
PUBLIC HEARING
HUTCHINS STREET SQUARE
FINE ARTS BUILDING
125 SOUTH HUTCHINS STREET
WEDNESDAY, DECEMBER 2, 1992
10:00 A.M.

Assistant City Manager Glenn opened the meeting at approximately 10:00 a.m. Mr. Glenn first gave an opening statement pointing out the following achievements for Dial-A-Ride during the last year:

- a. In September problems occurred with City Cab Company. City Cab was operating without Workers' Compensation Insurance, among other various operational problems, resulting in the Dial-A-Ride drivers walking off the job. Dial-A-Ride was then taken over by the City. The City has hired more drivers than were used previously, provided training sessions for the drivers and dispatchers, and operated more vehicles on Saturdays, all of which have caused fewer delays.
- b. Last year the City became eligible for Federal funds for transportation which the City plans to use to expand on the Dial-A-Ride program and to make any enhancements for transit needs.

Following further comments by Mr. Glenn the hearing was then opened to the public.

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Mr. Bob Phillips, a resident of Lodi, commented that certain cities, Stockton for example, uses all of the funds set aside for transit needs, and that the City of Lodi should possibly consider doing that also. Mr. Phillips also suggested that the City try to reach more people through advertisements, notices, etc. in notifying the public of transit needs public hearings and to make it easier for the disabled/handicapped to get to these meetings. Further Mr. Phillips feels a strong need for a fixed transit system and a need for Lodi to Stockton transportation.

Hazel Tusten, a disabled citizen, expressed her gratitude for Dial-A-Ride, but emphasized the need for Lodi to Stockton transportation for those who need to travel to Stockton for medical/doctors appointments, shopping, school attendance at the various colleges, etc. Ms. Tusten also suggested that Dial-A-Ride operate on Sundays to accommodate those who attend the local churches.

A request was then made for a brief report regarding a fixed-transit system. Mr. Glenn responded that a study had been done by a consultant regarding the City of Lodi's transit system. The study did show that if the City continued to grow as it is, Dial-A-Ride will someday be insufficient; however, the consultant did not define "someday". Mr. Glenn is currently in the process of preparing the Transportation Development Act claim asking for funds for mini-vans which could carry 9 - 12 people, and could be used on an experimental basis if the City were to try a fixed-route bus system.

Comments were then made on how efficient Dial-A-Ride is since the City took over its operation; however, it was suggested that it offer more weekend transportation, especially on Sundays. Mr. Glenn stated the main reason there is no Sunday operation, is the fear that the Dial-A-Ride system will become overloaded with the church service transportation. A comment was made by a member of the audience that the study done regarding the City's transportation system did determine that Dial-A-Ride was maxed out at certain times (food distribution days, Loel Center activities, etc.), and that there was a need to search for alternate situations.

A fixed-route bus system was then compared with Dial-A-Ride. Comments were made that most senior citizens will not want to walk certain distances to and from a bus stop whereas Dial-A-Ride offers door service. One comment was made that a fixed-route bus system would not work in Lodi, and that the City should instead concentrate on expanding the Dial-A-Ride system or creating a fixed flexible system with vans and mini-vans. However, it was stressed again the importance of a Lodi to Stockton transportation system.

Questions were then posed regarding the possibility of Amtrack coming to the area. Nancy Miller of the San Joaquin County Council of Governments (COG) responded that it eventually will; however, there are delays concerning equipment, and there is no time frame when Amtrack will be operational in our area. Mr. Glenn explained that Amtrack would not be an immediate assistance to Lodi area transportation due to poor scheduling, but it could eventually be worked out to benefit the community. Comments were then made about the problems encountered with the Greyhound Bus system in regards to seating and with County Area Transit (CAT) that it can only be used by senior citizens and the handicapped/disabled for medical transportation only. CAT also transports only town to town and not within a certain area.

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Several other miscellaneous comments were then made by members of the audience:

- ° The City of Lodi needs to have a reliable, consistent, scheduled transportation system for those needing to keep scheduled appointments.
- ° A suggestion was made that future advertisements for unmet transit needs public hearings be sent in the City of Lodi utility billings.
- ° School children need transportation to and from school.
- ° Senior citizens walk more now than ever before and would be willing to walk to a bus stop.
- ° Citizens need to be reeducated about transportation and not be afraid to make a change in their lifestyle (carpool, take public transportation, etc.).
- ° Dial-A-Ride takes two (2) bags per person rather than per ticket.

There being no further comments, Mr. Glenn closed the public hearing and informed the audience that the comments would be summarized in a report to the Lodi City Council at its public hearing to be held on January 6, 1992 and invited the public to attend.

The meeting was then adjourned at approximately 11:10 a.m.

A member of the COG staff was in the audience outlining the actual recommendations to the COG Board of Directors as to the City of Lodi's unmet transit needs. That report will become the basis for the City's 1993-94 transit claim.

Following questions posed by the City Council, the hearing was opened to the public. Speaking on the matter were the following:

- a) Bob Fisher, 418 North Fairmont Avenue, Lodi;
- b) Brian Cornell, 2711 Del Rio Drive, Stockton, speaking on behalf of the County Advisory Commission;
- c) Lillian Goldsmith, 1830 South Hutchins Street #507, Lodi;
- d) Les Dabritz, Lodi Chamber of Commerce, Lodi;

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- e) Carol Alimonte, 412-1/2 East Oak Street, Lodi.
- f) Dorance Ochs, 1810 Burgundy Drive, Lodi; and
- g) Barry Clark, 623 Palm Avenue, Lodi.

The Mayor then closed the public hearing.

Following further discussion the City Council, on motion of Council Member Sieglock, Mann second, unanimously approved to disband the Ad Hoc Transportation Committee; however, it would continue to meet on an as-needed basis.

PUBLIC HEARING TO CONSIDER RE-INTRODUCTION
OF AN ORDINANCE REGARDING THE REGULATING
OF INDUSTRIAL WASTE HAULERS

INTRODUCE ORDINANCE NO. 1561

CC-24 (b) Notice thereof having been published according to law, an
CC-54 affidavit of which publication is on file in the office of
CC-149 the City Clerk, Mayor Pennino called for the Public Hearing
to consider re-introduction of an ordinance regarding the
regulating of industrial waste haulers.

City Attorney McNatt presented the following report.

At the Council meeting of December 16, 1992, the City Council considered the introduction of an ordinance which would regulate haulers of industrial refuse. However, the Council was desirous of making some changes to the ordinance pertaining to industries wishing to haul their own waste.

Pursuant to the direction of Council, Ordinance 1561 has now been amended to allow generators of industrial waste to transport their own waste for disposal. The ordinance would exempt such self-haulers from the payment of a permit fee, but would still require that all waste be channeled through a State-licensed Materials Recovery Facility (MRF).

At the suggestion of industry representatives and City staff, the ordinance has also been modified to require that industrial waste haulers furnish certificates of insurance, proof of vehicle inspections for all trucks utilized to haul industrial waste, and a bonding requirement for defaults of franchise or permit fees.

Following a brief discussion, the public hearing was opened to the public. Kevin Van Steenberg, 1208 Devine Drive, Lodi spoke in favor of the ordinance.

There being no other persons wishing to speak on the matter, the Mayor closed the public hearing.

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On motion on Council Member Snider, Sieglock second, the City Council unanimously re-introduced Ordinance No. 1561 entitled, "An Ordinance of the City Council of the City of Lodi Amending Lodi Municipal Code Chapter 13.16 - Solid Waste Relating to Industrial Waste Collection and Recyclable Materials".

RECESS

The Mayor declared a ten-minute recess and the City Council reconvened at approximately 9:35 p.m.

PLANNING COMMISSION
REPORT

City Manager Peterson presented the following Planning Commission Report of the Planning Commission Meeting of December 14, 1992.

CC-35

The Planning Commission -

a.

Continued the request of Daryl Duncan on behalf of Wanda J. Cherry for approval of a tentative parcel map to create 2 lots from 1 lot at 819 James Street in an area zoned R-2, Single-Family Residential until 7:30 p.m. Monday, January 11, 1993.

This matter was continued so that the applicant could present the Planning Commission drawings that (1) depict the proposed offstreet covered parking for the existing dwelling and (2) illustrate the site plan for the proposed new dwelling.

b.

Continued the request of Young Electric Sign Company on behalf of Orchard Supply Hardware and MacFrugal's for a second shopping center identification sign at 360 South Cherokee Lane in an area zoned C-2, General Commercial until 7:30 p.m. Monday January 11, 1993.

This matter was continued to provide the City Attorney adequate time to render a written opinion on second identification signs in areas zoned C-2, General Commercial.

c.

Cancelled Use Permit U-91-28 for Jim Mehos for a temporary office trailer at 724 South Cherokee Lane in an area zoned C-2, General Commercial. The business has closed and the temporary structure has been removed.

d.

Set a public hearing for 7:30 p.m. Monday, January 11, 1993 to consider recommending to the City Council that Lodi Municipal Code 17.63.270, which outlines shopping center identification signs in areas zoned C-S, Commercial Shopping be amended to re-allocate the allowable sign area.

COMMUNICATIONS
(CITY CLERK)

CLAIMS CC-4(c)

On recommendation of the City Attorney and City's contract administrator, Insurance Consulting Associates, Inc. (ICA),

Continued January 6, 1993

the City Council, on motion of Council Member Sieglock, Mann second, denied the following claim and referred it back to the contract administrator:

- a) California State Automobile Association (K. Colgan), Date of loss 9/19/92

ABC LICENSE APPLICATIONS

CC-7(f) Deputy City Clerk Perrin presented the following applications for Alcoholic Beverage Control License:

- a) Helena W. M. and Tony K. C. Leu, Lucky House, 550 - H South Cherokee Lane, Lodi, On Sale Beer and Wine Eating Place, Person to Person Transfer;
- b) Miguel Nunez, Miguel's Mexican Food, 322 North California Street, Lodi, On Sale Beer and Wine Eating Place, Original License; and
- c) Garldine and Robert Pulido and Alfred Solorio, Tumbleweed Cafe, 400 South Beckman Road, Lodi, On Sale General Eating Place, Person to Person Transfer and Premise to Premise Transfer.

Further, on motion of Council Member Davenport, Sieglock second, the City Council by unanimous vote directed the City Manager to send a letter to the Alcoholic Beverage Control Board to inform it of the Tumbleweed Cafe's failure to comply with the Uniform Fire Code and the Uniform Building Code.

REGULAR CALENDAR

ARCHITECTURAL SERVICES FOR CITY HALL REMODEL AND RELATED PROJECTS APPROVED

CC-90 Public Works Director Ronsko presented the following report regarding architectural services for City Hall remodel and related projects.

In January 1992, the firm of Wenell Mattheis Bowe was retained to prepare a Government Center Master Plan. This Master Plan evaluated a number of different scenarios for providing the interim and ultimate square footage needs of all of the departments in the government center complex. With respect to the City Hall deficiencies, the Council determined that, on an interim basis, the City should lease the Beckman Building across the street and bring both the Beckman Building and the existing City Hall up to Americans with Disabilities Act (ADA) standards. It was agreed that

the best long-range solution for the City Hall complex would include an addition to the north of the existing City Hall providing for all major City functions in one central complex.

The Public Works Department was asked to ensure that all local architects interested in doing the design work for the Civic Center complex were given the opportunity to present qualifications. Requests for qualifications (RFQ) were sent to Lodi and Stockton architectural firms. A copy of the RFQ was presented for Council review and includes a general scope of the proposed design work. At the same time, the Mayor appointed a selection committee to review the RFQ's and to interview the qualified architects. This committee was made up of Randy Snider, City Council Member; Larry Mindt, Chairman of the Planning Commission; Leonard Bull, Chairman of SPARC; Jim Culbertson, a local contractor; together with the Chief Building Official, Finance Director and Public Works Director. The committee met and evaluated the qualification submittals and determined that four architectural firms would be interviewed. The interviews were conducted on November 19, 1992, and the selection committee selected the firm of Wenell Mattheis Bowe to design the Civic Center improvements.

We know that the remodeling of City Hall will include some major structural upgrading; however, the full extent of this upgrading cannot be determined until a full structural investigation is accomplished. It has been determined that, even with minimum structural upgrading, the City Hall remodel work could not be done while employees are still using the building. Therefore, temporary relocation of those employees ultimately staying in City Hall will have to be made. Because of the structural unknowns on the City Hall remodeling, it was determined that it would be best to break the architectural agreement into at least two phases. These phases are discussed in the next paragraph and the scope of work shown below.

ARCHITECTURAL AGREEMENT - GENERAL SCOPE OF WORK (First Phase)

Program Update

Confirm actual temporary, short-term and long-term personnel and space requirements in Beckman, Carnegie, temporary trailers, City Hall remodel and City Hall addition.

Beckman Building

Provide complete architectural and engineering (A/E) services for tenant improvements including parking lot layout and lighting.

City Hall Remodel

Provide investigative and schematic design services including structural, mechanical, electrical, handicap accessibility and ADA requirements.

City Hall Addition

Provide conceptual design and floor plan layouts together with two renderings showing relationship of addition with remodel.

Carnegie Building

Provide investigative and schematic design services for basement and office layouts if Carnegie basement is going to be used.

Trailers

Provide complete A/E service for temporary trailers.

Computer/Communication Link

Design link between Beckman, Carnegie, temporary trailers and City Hall.

Furniture Systems

Design workstations in Beckman, Carnegie and City Hall remodel including determination of size, configuration, basic components and electrical, computer and communication needs.

PHASE II - CARNEGIE BASEMENT SCOPE OF CONTRACT

Provide complete Architectural/Engineering services (design development through construction observation) to renovate approximately 2,500 square feet of existing basement area with a proposed budget of \$252,000* for construction; based upon approved schematic design developed under Phase I Contract.

PHASE III - REMODEL CITY HALL SCOPE OF CONTRACT

Provide complete Architectural/Engineering services (design development through construction observation) to renovate the existing City Hall building with a proposed budget of

\$1,383,000* for construction; plans to include renovation of the existing City Hall building including structural, mechanical, electrical, handicap accessibility, functional and circulation path and finishes; including a new entrance ramp with plaza at Pine Street and a new elevator. The design shall accommodate logical expansion to the future City Hall addition; based upon approved schematic design development under Phase I Contract.

*Final budget will be established as part of Phase I Contract

In general, the work under the subject architectural agreement (first phase) is estimated to cost \$122,353. All payments to the architect will be on a time-and-materials basis up to a maximum which is the estimated cost. Therefore, if the architect can accomplish the work in less time, we will only pay for the work required.

The anticipated work under the second and third phases of the architectural agreement is estimated at \$140,550. This design estimate will be reevaluated once the structural investigation is completed under Phase One.

Shown below is a budget showing the estimated expenses and anticipated revenues.

CITY HALL AND BECKMAN BUILDING REMODEL BUDGET ESTIMATE

Expenses

| | |
|--|----------------|
| 1. City Hall Renovation | \$1,383,000.00 |
| (E) From Study | \$851,000.00 |
| Structural Addition | 260,000.00 |
| Ramped Entry Addition | 40,000.00 |
| Interior Remodel | |
| Addition | 146,000.00 |
| Electrical Addition | 54,000.00 |
| Mechanical Addition | 32,000.00 |
| 2. Beckman Remodel | 180,000.00 |
| 3. Carnegie Basement | 252,000.00 |
| 4. Computer and Communication Link | 39,000.00 |
| 5. Beckman Parking Lot | 33,000.00 |
| 6. Trailer Utilities and Appurtenances | 100,000.00 |
| 7. Trailer Lease | 144,000.00 |
| 8. Furniture Systems | 150,000.00 |

| | |
|---|-------------------|
| 9. Miscellaneous (computer move, testing, reimbursables, structural plan check, etc.) | 20,000.00 |
| 10. Architectural Cost | <u>263,000.00</u> |
| | \$2,564,000.00 |

Revenues

| | |
|--|---------------------|
| 1. 1992/93 CIP Budget | \$1,727,000.00* |
| 2. Miscellaneous (impact fees, litigation, etc.) | <u>1,060,000.00</u> |
| | \$2,787,000.00 |

*This does not include any interest which is accumulating in the CIP account

The costs or expenses for this budget are conservatively high and it covers the worst-case scenario; i.e., Carnegie Forum basement renovation estimate is known to be high in that all of the area may not be used or the basement may not be used at all, the structural upgrade assumes all of City Hall will be brought up to new Code standards, and estimates include a 20% contingency factor.

The proposed design and construction schedule was presented for Council's review. This schedule provides for completion of the Beckman Building remodel and the temporary trailer installation in April, 1994. The completion of the City Hall remodel is scheduled for May, 1995.

The subject architectural agreement has been reviewed and approved by the City Attorney. It was recommended that the City Council authorize the City Manager to execute this agreement. Additional phases for design work will be brought back to the City Council at a later date.

Following discussion on the matter, the City Council, on motion of Council Member Snider, Sieglock second, approved the agreement for architectural services for City Hall remodel and related projects and authorized the City Manager to execute the said agreement by the following vote:

Ayes: Council Members - Mann, Sieglock, Snider and Pennino (Mayor)

Noes: Council Members - Davenport

Absent: Council Members - None

"TOWN HALL" MEETINGS SCHEDULED

CC-6

City Manager Peterson reminded the City Council that in the agenda packet for the regular meeting of December 16, 1993, it received a proposal prepared by City Council Member Snider recommending a series of "Town Hall" meetings to hear presentations by the various operating departments and boards and commissions where applicable, as part of the budget review process for the 1993-94 fiscal year. It is important that the schedule for these meetings be established as quickly as possible. A listing of dates on which the Carnegie Forum is available for such meetings was presented for Council's review. As the City Council is aware, in addition to regularly scheduled and special meetings of the City Council, the Forum also serves as the location for meetings of the Planning Commission, Parks and Recreation Commission and Citizen Awareness groups. In addition, there are some other mid-week meetings of other organizations and groups both in and out of the City which all, or some of the Council Members may wish to attend. These include, for example, the Cities-County of San Joaquin Association meeting which is to be held in Lodi Thursday, January 14, and the quarterly meeting of the Central Valley Division, League of California Cities, scheduled for Thursday, January 21 in Waterford. There will also be Cities-County of San Joaquin Association meetings on Thursdays in the months of February and March. In addition, Citizen Awareness group meetings, conducted annually by the Police Department, are scheduled to start Thursday, February 4, and will be held each Thursday evening thereafter for the next few months. Because of several conflicting events, and the Citizen Awareness group meetings, Thursdays would appear to be out. The annual Chamber of Commerce dinner will be held Friday, January 15. To minimize public confusion regarding the scheduling of these meetings, it is recommended that they be held on the same one or two days of each week.

If we limit the length of these meetings to an hour and one half, or two hours maximum as suggested, it may be necessary to hold as many as 12-14 meetings. There are eight operating departments. These are Police, Fire, Public Works, Electric Utility, Parks and Recreation, Finance, Community Development and the Library. Public Works, because of the scope and complexity of this department, will require at least two sessions and perhaps three. Parks and Recreation may require two (one for Parks and one for Recreation). One session would be needed for the offices of City Manager, City Attorney and City Clerk. Another session will be needed for the Community Center (Hutchins Street Square) and Personnel. It may be possible to squeeze some of these meetings together, but it will still be difficult to get the number much below ten. The process will thus take us through the month of March.

Continued January 6, 1993

Council expressed concern that these meetings be properly advertised as much as possible, including bordered advertisements in the Lodi News Sentinel and a possible advertisement on King Videocable Channel 3.

Following discussion the City Council, on motion of Council Member Snider, Mann second, by the following vote adopted the schedule of meetings shown below to include the Tuesdays and Wednesdays of off-Council meeting weeks except for the date of February 9, 1993:

- a) January 12, 1993 and January 13, 1993
- b) January 26, 1993 and January 27, 1993
- c) February 23, 1993 and February 24, 1993
- d) March 9, 1993 and March 10, 1993
- e) March 23, 1993 and March 24, 1993
- f) March 30, 1993 and March 31, 1993

Ayes: Council Members - Mann, Sieglock, Snider and Pennino (Mayor)

Noes: Council Members - Davenport

Absent: Council Members - None

SUPPLEMENTAL 1992/93 TRANSPORTATION
DEVELOPMENT ACT (TDA) CLAIM APPROVED

RESOLUTION NO. 93-03

CC-50(a) It is necessary for COG to give final approval in order to
CC-300 receive the City's allocation of transit monies available
through the Transportation Development Act (TDA).

This year we are submitting a claim for \$1,220,297 of local transportation funds and \$97,298 of State transit assistance funds. Of the total amount claimed, \$1,317,595, \$505,950 is for transit service. The remainder, \$817,645, is available for street and road projects.

The transit portion of the claim is in three parts - operations, capital, and taxi service.

| | |
|------------|-----------|
| Operations | \$349,800 |
| Capital | 150,850 |
| Taxi | 5,300 |
| | <hr/> |
| | \$505,950 |

This year is somewhat unique in that in the early part of the year we were purchasing services from City Cab Company and providing subsidized rides through City Cab Company's taxi service.

The capital expenditures are greater than normal in that we only purchased one vehicle last year. This budget includes the purchase of four vehicles, two minibuses, one van, and one station wagon. The station wagon was purchased earlier this fiscal year and is in service. Bid specifications for the minibuses and minivan should be to Council on February 3, 1993. Also included are new radios and upgrade of the telephone system.

Included in the operation budget is 50% of the salary and benefits of an Administrative Assistant to the City Manager, Ms. Janet Keeter, and 10% of Assistant City Manager Glenn's salary and benefits. Also included in the claim is an amount of \$7,000 to hire the services of a consultant to provide assistance and direction in preparing our claim for federal dollars. There are a number of reporting requirements which are different and more complex than required by the San Joaquin Council of Government (COG). It is our plan to have the consultant assist Ms. Keeter in the preparation of the federal grant and setting in place the appropriate record keeping and monitoring procedures. Staff anticipates this being a one-time cost.

The City Council is respectfully requested to approve this claim and direct staff to forward it to COG for final approval and distribution of funds.

Following discussion among the City Council and staff, the City Council, on motion of Council Member Sieglock, Mann second, adopted Resolution No. 93-03 approving the supplemental 1992/93 Transportation Development Act (TDA) claim by the following vote:

Ayes: Council Members - Mann, Sieglock, Snider and Pennino (Mayor)

Noes: Council Members - Davenport

Absent: Council Members - None

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PURCHASE OF OIL FILTRATION SYSTEM FOR THE
ELECTRIC UTILITY DEPARTMENT APPROVED

RESOLUTION NC. 93-04

CC-12(d) On November 18, 1992, the City Council approved
CC-300 specifications and authorized advertisement for bids for
the oil filtration system for the Electric Utility
Department. The sole bid was opened on December 15, 1992.

The oil filtration system is a piece of equipment used in maintenance and repair of high voltage, oil insulated equipment, such as power transformers, circuit breakers and switching equipment. This system will replace a similar, but worn out and corroded pump and filter system.

The specifications permitted various configurations of the filtration system components. Component arrangement offered in the bid as Option #1, at an additional cost of \$726, will provide labor savings as well as improved operating conditions and worker safety, thus justifying the additional cost.

It should be noted that the bidder in preparing the bid document made a \$72 error, before taxes, in favor of the bidder.

Based on the bid submitted, the fact that very few known manufacturers of this kind of specialized equipment exist and the bid is below the engineer's estimate of \$8,000, the above recommended action is submitted for Council's approval.

Following discussion, on motion of Council Member Snider, Sieglock second, the City Council unanimously adopted Resolution No. 93-04 approving the purchase of oil filtration system for the Electric Utility Department.

PURCHASE OF PADMOUNT TRANSFORMERS

RESOLUTION NO. 93-05

CC-12(d) On November 4, 1992, the City Council approved
CC-300 specifications and authorized advertisement for bids for
thirteen single-phase and seven three-phase padmount
transformers of various ratings.

On December 15, 1992, bids were opened, and total life-cycle costs were evaluated. Life-cycle costs are the combined total of purchase price plus cost of operation based on estimated power loss during the projected life of the transformer. Proposals are also evaluated on the basis of compliance with equipment and bid specifications;

failure to comply with both may lead to disqualification of the bid. A summary of the bid evaluation is shown below.

BID EVALUATION - PADMOUNT TRANSFORMERS

BIDS OPENED DECEMBER 15, 1992

(AMOUNTS SHOWN ARE BID AMOUNT / LIFE-CYCLE COST)

| QTY/RATING/DESCRIPTION | B I D D E R | | | | |
|-------------------------|---------------------------|---------------------------|------------------------------|---------------------------|---------------------------|
| | WESTINGHOUSE | PAUWELS | KUHLMAN | GEN. ELECT. | SQUARE D |
| | | | | (1) | |
| <u>Single-Phase:</u> | | | | | |
| 6 ea 37.5KVA 240/120V | \$ 7,298.98/ 13,430.98 | No Bid | \$ 7,932.55/ 14,064.55(3) | (2) | No Bid |
| 5 ea 75KVA 240/120V | \$ 7,704.12/ 17,604.12 | No Bid | \$ 7,968.11/ 16,858.11(3) | \$ 9,482.00/ 19,012.00 | No Bid |
| 2 ea 167KVA 240/120V | \$ 6,314.15/ 12,978.15 | No Bid | \$ 5,215.10/ 12,443.10(3) | \$ 5,721.53/ 14,521.53 | No Bid |
| <u>Three-Phase:</u> | | | | | |
| 1 ea 75KVA 208Y/120V | \$ 4,208.71/ 6,866.71 | \$ 3,111.82/ 5,385.82 | No Bid | \$ 5,337.94/ 6,671.94 | No Bid |
| 1 ea 300KVA 208Y/120V | \$ 5,893.92/ 13,633.92 | \$ 5,702.13/ 12,186.13 | No Bid | \$ 8,266.58/ 13,174.58 | No Bid |
| 1 ea 500KVA 208Y/120V | \$ 8,452.98/ 19,330.98 | \$ 7,691.20/ 17,867.20 | No Bid | \$10,351.54/ 20,439.54 | No Bid |
| 1 ea 150KVA 480Y/277V | \$ 4,773.32/ 8,529.32 | \$ 3,765.86/ 7,809.86 | No Bid | \$ 5,218.33/ 8,940.33 | No Bid |
| 2 ea 225KVA 480Y/277V | \$10,613.37/ 22,349.37 | \$10,499.16/ 20,143.16 | No Bid | \$12,255.49/ 22,355.49 | No Bid |
| 1 ea 1,500KVA 480Y/277V | \$14,438.50/ 42,908.50 | \$17,211.99/ 39,333.90 | No Bid | \$18,488.82/ 44,410.82 | \$17,126.86/ 46,050.86 |

Footnotes:

- (1) General Electric's proposal included terms and conditions which, among other things, (a) modified the method by which actual transformer losses would be calculated for penalty purposes, a modification in GE's favor, (b) placed risk of loss or damage of the transformers during shipment on the City of Lodi (bid specifications require bidder assume that risk), and (c) dictated that matters relating to any order placed pursuant to the bid, including any legal action the City may be required to take, be governed by laws of the State of New York.

A subsequent retraction of its standard terms and conditions which were in conflict with the City's bid specifications was submitted after the bid opening by a GE representative who may not be authorized under the terms and conditions to make such a retraction.

General Electric's bid must therefore be deemed non-responsive and subject to disqualification.

- (2) General Electric's original bid was changed via FAXed revision submitted after the bid opening. Both bids are therefore disqualified.

Kuhlman's 37.5KVA and 75KVA Single-phase unit heights of 35" exceed specified equipment height maximum of 28"; the 167KVA unit height of 42" exceeds specified equipment height maximum of 33" for units 100KVA and greater.

Bidders:

Westinghouse Electric Supply Co., Concord, CA
 Pauwels Transformers, Washington, MO
 Kuhlman Transformers, Versailles, KY
 General Electric Supply Co., Martinez, CA
 Square D Company, Pleasanton, CA

Continued January 6, 1993

These transformers will be used in the electric distribution system in various locations such as Century Meadows, Safeway, Payless, Lucky Stores, and the Stadium. Additionally, some transformers will be used for PCB replacement, and to replenish inventory.

The two responsible bidders whose proposals and equipment met City of Lodi specifications, and whose transformers yielded the lowest overall life-cycle costs in each rating category is shown below:

Westinghouse Electric Supply Co., Concord, CA

| | |
|-------------------------------------|-----------------|
| 6 ea. 37.5KVA Single-phase 240/120V | \$ 7,298.98 |
| 5 ea. 75KVA Single-phase 240/120V | 7,704.12 |
| 2 ea. 167KVA Single-phase 240/120V | <u>6,314.15</u> |
| | \$21,317.25 |

Pauwels Transformers, Washington, MO

| | |
|-------------------------------------|------------------|
| 1 ea. 75KVA Three-phase 208Y/120V | \$ 3,111.82 |
| 1 ea. 300KVA Three-phase 208Y/120V | 5,702.13 |
| 1 ea. 500KVA Three-phase 208Y/120V | 7,691.20 |
| 1 ea. 150KVA Three-phase 480Y/277V | 3,765.86 |
| 2 ea. 225KVA Three-phase 480Y/277V | 10,499.16 |
| 1 ea. 1500KVA Three-phase 480Y/277V | <u>17,211.99</u> |
| | \$47,982.16 |

TOTAL, all sizes \$69,299.41

Council, on motion of Council Member Mann, Snider second, unanimously adopted Resolution No. 93-05 awarding the purchase of various sizes of padmount transformers to the two responsible bidders whose proposals and equipment met City of Lodi specification, whose transformers yielded the lowest overall life-cycle costs in each rating category as shown above.

PURCHASE OF POLEMOUNT TRANSFORMERS

RESOLUTION NO. 93-06

CC-12(d) On November 4, 1992, the City Council approved
CC-300 specifications and authorized advertisement for bids for 27 circuit-protected, and 15 conventional, polemount transformers of various ratings.

On December 15, 1992, bids were opened, and total life-cycle costs were evaluated. Life-cycle costs are the combined total of purchase price plus cost of operation based on estimated power loss during the projected life of the transformer. Proposals are also evaluated on the basis of compliance with equipment and bid specifications;

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failure to comply with both may lead to disqualification of the bid. A summary of the bid evaluation is shown below.

BID EVALUATION - POLEMOUNT TRANSFORMERS

BIDS OPENED DECEMBER 15, 1992

(AMOUNTS SHOWN ARE BID AMOUNT / LIFE-CYCLE COST)

| QTY/RATING/DESCRIPTION | B I D D E R | | |
|--------------------------|------------------------------|---------------------------|---------------------------|
| | WESTINGHOUSE | KUHLMAN | GEN. ELECT. |
| | | | ----(1)---- |
| <u>Circuit-Protected</u> | | | |
| 3 ea 25KVA 120/240V | \$ 1,907.17/ 4,691.17 | \$ 1,810.20/ 4,876.20 | \$ 2,285.38/ 4,679.38 |
| 12 ea 37.5KVA 120/240V | \$ 9,115.65/ 35,347.65(2) | \$ 9,813.87/ 25,725.87 | \$11,611.14/ 25,315.14 |
| 12 ea 50KVA 120/240V | \$10,525.02/ 30,157.02 | \$10,033.68/ 34,153.68 | \$13,770.45/ 30,810.45 |
| <u>Conventional</u> | | | |
| 6 ea 37.5KVA 120/240V | \$ 3,251.89/ 10,871.89 | \$ 4,176.39/ 11,760.39 | \$ 5,314.23/ 11,842.23 |
| 9 ea 50KVA 120/240V | \$ 7,020.99/ 20,916.99 | \$ 6,448.84/ 22,288.84 | \$ 9,697.50/ 21,703.50 |

Footnotes:

- (1) General Electric's proposal included terms and conditions which, among other things, (a) modified the method by which actual transformer losses would be calculated for penalty purposes, a modification in GE's favor, (b) placed risk of loss or damage of the transformers during shipment on the City of Lodi (bid specifications require bidder assume that risk), and (c) dictated that matters relating to any order placed pursuant to the bid, including any legal action the City may be required to take, be governed by laws of the State of New York.

A subsequent retraction of its standard terms and conditions which were in conflict with the City's bid specifications was submitted after the bid opening by a GE representative who may not be authorized under the terms and conditions to make such a retraction.

General Electric's bid must therefore be deemed non-responsive and subject to disqualification.

- (2) Westinghouse Electric's 37.5KVA unit height of 47" exceeds specified equipment height maximum of 45".

Continued January 6, 1993

These transformers will be installed as replacements for PCB-contaminated units, and to replenish the Department's inventory.

The two responsible bidders whose proposals and equipment met City of Lodi specifications, and whose transformers yielded the lowest overall life-cycle costs in each rating category are shown below:

Westinghouse Electric Supply Co., Concord, CA

| | | | |
|----------|---------|----------------------------|-----------------|
| 3 ea. | 25KVA | 120/240V Circuit-protected | \$ 1,907.17 |
| 12 ea. | 50 KVA | 120/240V Circuit-protected | 10,525.02 |
| 6 ea. | 37.5KVA | 120/240V Conventional | 3,251.89 |
| 9 ea. | 50KVA | 120/240V Conventional | <u>7,020.99</u> |
| Subtotal | | | \$22,705.07 |

Kuhlman Transformers, Versailles, KY

| | | | |
|------------------|---------|----------------------------|--------------------|
| 12 ea. | 37.5KVA | 120/240V Circuit-protected | <u>\$ 9,813.87</u> |
| TOTAL, all sizes | | | \$32,518.94 |

Council, on motion of Council Member Davenport, Mann second, unanimously adopted Resolution No. 93-06 awarding the purchase of various sizes of polemount transformers to the two responsible bidders whose proposals and equipment met City of Lodi specifications, and whose transformers yielded the lowest overall life-cycle costs in each rating category as shown above.

SALE OF SURPLUS TRANSFORMER-REGULATOR APPROVED

RESOLUTION NO. 93-09

CC-47
CC-300

The replacement of the failing McLane Substation #1 Bank transformer-regulator combination with a new power transformer having load tap changing equipment has been determined to be the most economical solution. Funds for this replacement were included in the 1992-93 fiscal year budget. The power transformer has been bid and a contract awarded on September 16, 1992. The new unit is scheduled to arrive in Lodi, approximately April 1, 1993.

To facilitate the replacement, the Department must have the existing transformer-regulator combination removed from the pad at the latest by February 1, 1993, at an estimated cost of \$5,000 and have a new pad constructed by the April 1 arrival date. It was anticipated to place the removed transformer-regulator in storage within the substation for subsequent sale as surplus material provided a purchaser could be located and willing to purchase for the scrap value of \$10,000-\$12,000. This type of bulky, oil-filled,

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heavy (90,000+ lbs.) and custom-made equipment, particularly when in a failing mode, does not attract purchasers.

On December 1, 1992, U.S. Transformer made an inquiry to the Department to determine if the City had any equipment for sale of a type that U.S. Transformer currently was trying to locate. Upon learning of the specific type, model, configuration, etc., of the equipment the City is about to surplus, U.S. Transformer made an offer of \$28,000 for the equipment, as is and where is, including removal prior to February 1, 1993.

The above recommendation was presented for Council's approval based on the facts that 1) an extremely limited field of potential purchasers exist for this type of equipment (only one known), 2) the offer substantially exceeds the salvage value and 3) savings accrue to the City by avoiding the relocation and storage costs (\$5,000) as well as future costs associated with handling and disposal.

Following discussion the City Council, on motion of Council Member Davenport, Mann second, unanimously adopted Resolution No. 93-09 entitled, "A Resolution of the Lodi City Council Approving the Sale of Surplus Transformer-Regulator".

E-BASIN AGREEMENT BETWEEN CITY OF LODI
AND ROBERT BATCH (LOCATED IN THE AREA OF
EVERGREEN DRIVE SOUTH OF WESTGATE PARK)
APPROVED

CC-90

Following introduction by the City Manager, City Attorney McNatt presented the following information.

Since the approval of the tentative map for the Lodi West development, City staff has been negotiating with the property owner for the acquisition of the additional property needed for the expansion of the E area drainage basin (Westgate Park). This expansion is shown in the City's Development Impact Mitigation Program as a project to be funded through storm drainage and parks and recreation fees. However, since development has not occurred at the rate originally assumed in the fee calculations, there are insufficient funds in the program to pay for the acquisition. Thus, the negotiations involved a number of interrelated factors which are discussed below. The complete agreement was presented to the City Council for its review.

Acreage

The final design of the Lodi West subdivision and the basin/park calls for a gross site of 15.99 acres. (The

City has traditionally included the street frontage as part of basin/park acquisitions since we are purchasing undeveloped land, not finished sites.) This is less than the original Lodi West submittal and slightly more than the 14.0 acres assumed in the fee program. However, it better fits the approved Master Plan for the site which would require approximately 15 acres. The final configuration provides room for somewhat more "high ground" on the east side (Evergreen Drive frontage) of the site than presently exists at Westgate Park and allows for playground and other park improvements. The design also includes a strip of "high ground" along the south and west sides to connect to the existing area along Applewood Drive. This design also works with the Lodi West subdivision and provides a number of lots with rear yards along the park.

Purchase Price

The value of the 15.99-acre portion of the 100.1 Lodi West parcel is \$1,838,850 based on the appraised value of \$115,000 per acre. The appraisal was performed by the Bramwell Company, an MIA appraiser. The price is somewhat lower than the property owner's original asking price. The appraisal was reviewed during the course of the negotiations and is, according to the appraisal, still the appropriate value for the land. Of the total purchase price, \$218,020 is being allocated to the Parks and Recreation Fee Program and the balance to the Storm Drainage Fee Program based on the pro rata share of usable high-ground park area to the total parcel. Park fees from the Lodi West development will cover the \$218,020, while the storm drainage portion will require additional acreage outside of Lodi West to pay the balance.

Payment Terms

As noted, the City does not have sufficient funds to pay cash for the parcel. In order to proceed with development in the area, the property owner was willing to accept payment under a reimbursement agreement. The City has used similar agreements for other projects, and, in fact, still owes the Park West developers approximately \$270,000 for basin and master storm drain line improvements.

This agreement contains the following payment terms:

- ~ \$10,000 cash to be paid when the deed is recorded;
- ~ credits for storm drainage and parks and recreation fees owed by the remainder of the Lodi West property, and;
- ~ reimbursement from future storm drainage fees paid by other projects in the City.

The third item above contains a provision that is new, City reimbursement agreements. That provision is the pledging

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of 40% of the City-wide storm drainage fee revenue. This will provide faster payback to the owner and is consistent with the City-wide fee program concept. The 40% figure is based on the fact that the City will need a similar agreement for the expansion of the G-Basin (DeBenedetti Park), which is in the Phase 1 development area, and the need for miscellaneous master storm drain line projects. This remaining balance will be increased annually to account for interest by using the Engineering News Record Construction Cost Index as has been done in recent agreements.

Basin/Park Improvements

The agreement calls for the property owner to excavate the basin according to the City's requirements. This will allow the owner to coordinate the work with his development and use excavated dirt for grading. The agreement calls for the owner to stockpile topsoil and place it on the top of the finished excavation to improve the future turf. The City will be responsible to "... diligently pursue the completion of the basin/park including turfing and irrigation ...". This is the reason for the relatively low cash down payment as there are insufficient funds in the impact fee accounts to pay for these improvements. Staff anticipates that, with the completion of other planned projects in the near future, funds will be available to do this work on a schedule compatible with the development of Lodi West.

Following discussion with questions directed to the City Attorney, the City Council, on motion of Council Member Snider, Sieglock second, unanimously approved the agreement between the City of Lodi and Robert Batch (located in the area of Evergreen Drive south of Westgate Park) and authorized the City Manager to execute the agreement.

AGREEMENT BETWEEN CITY OF LODI AND
MR. KENNETH CHOO FOR OPERATION OF
GOLF DRIVING RANGE APPROVED

CC-90

The following information was presented by the City Attorney.

Some two and a half months ago, the Sub-Lessee, George Sakurai, approached Parks and Recreation Director Williamson asking for permission to turn over the remainder of his lease to operate said driving range to Kenneth Choo. After meeting with both parties and Graeme Stewart, Executive Director of the Grape and Wine Festival, Mr. Williamson feels comfortable in recommending that the transfer take place. At the conclusion of the current lease (June 30, 1993), the City will at that time decide

Continued January 6, 1993

whether or not to continue with Mr. Choo as the Driving Range Operator.

Following discussion, the City Council, on motion of Council Member Snider, Davenport second, unanimously approved the agreement between the City of Lodi and Mr. Kenneth Choo for operation of Golf Driving Range amending the wording on page two of the agreement to reflect the beginning date of the agreement as January 1, 1993 rather than September 1, 1992.

ORDINANCES

There were no ordinances for adoption.

CLOSED SESSION

The City Council adjourned to closed session regarding the following items:

CC-200 (a)
CC-200 (b)
CC-200 (d)


- a) Personnel - Chief of Police recruitment
- b) Litigation - City of Lodi v. Arlie D. Preszler, et al. Superior Court Case No. 244667; and
- c) Labor relations.

The City Council meeting reconvened at approximately 11:45 p.m.

ADJOURNMENT

There being no further business to come before the City Council, Mayor Pennino adjourned the meeting at approximately 11:45 p.m.

ATTEST:


Jennifer M. Perrin
Deputy City Clerk